

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
Civil File No: 5:06-CV-19-FL(2)**

**TRIANGLE RESIDENTIAL DESIGNS, INC.** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **HAYNES & WELCH, INC.; MICHAEL HAYNES;** )  
 **CARL WELCH; D & L DESIGN GROUP, INC.;** )  
 **LORI M. LOWERY; COLUMBUS REAL ESTATE,** )  
 **INC.; PAUL SMITH; SOUTHLAND REALTY, INC.;** )  
 **SWEYER AND ASSOCIATES, INC.; PLEASANT** )  
 **REALTY & ASSOCIATES, LLC; AMELIA** )  
 **PLEASANT; BROWNING REALTY, INC.; ROBERT** )  
 **BROWNING; COLUMBUS REAL ESTATE CO.,** )  
 **L.L.C.; CLASSIC REAL ESTATE & MARKETING,** )  
 **LLC; ASHLEY TURNER ENTERPRISES, INC.;** )  
 **ASHLEY TURNER BUILDING CO., INC.; ASHLEY** )  
 **TURNER DEVELOPMENT, L.L.C.; and WILLIAM** )  
 **ASHLEY TURNER d/b/a ASHLEY TURNER** )  
 **BUILDERS** )  
 )  
 **Defendants.** )

**NOTICE OF DISMISSAL  
WITHOUT PREJUDICE**

Plaintiff hereby voluntarily dismisses its claims against Defendants Columbus Real Estate, Inc.  
and Paul Smith, without prejudice.

Respectfully submitted, this the 24<sup>th</sup> day of January, 2006.

**Coats & Bennett, P.L.L.C.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on copy of the foregoing **NOTICE OF DISMISSAL WITHOUT PREJUDICE** is being forwarded this 24<sup>th</sup> day of January, 2006, by first class mail, postage prepared and addressed to:

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Builders, and Columbus Real Estate Co., L.L.C*

/s/ Anthony J. Biller  
Anthony J. Biller